

MEETING #20 – May 1

At a Joint Meeting of the Madison County Board of Supervisor and the Madison County Planning Commission held on Wednesday, May 1, 2013 at 7:00 p.m. in the Madison County Administrative Center Auditorium located at 414 N. Main Street:

PRESENT: J. Dave Allen, Chairman
Doris G. Lackey, Vice-Chair
Jerry J. Butler, Member
Pete J. Elliott, Member
Jonathon Weakley, Member
V. R. Shackelford, III, County Attorney
Phillip Targatlia, Finance Director
Brian Daniel, Erosion & Sedimentation Technician
Betty Grayson, Zoning Administrator

ABSENT: Jacqueline S. Frye, Clerk of the Board

1. Call to Order/Determine the Presence of a Quorum:

Chairman Allen called the meeting to order and advised that all members are present and a quorum was established.

2. Pledge of Allegiance & Moment of Silence

The Board of Supervisors and the Madison County Planning Commission commenced their meeting with the Pledge of Allegiance and a moment of silence.

3. Adoption of Agenda:

Chairman Allen called for any deletions, additions or corrections to tonight's agenda.

On motion of Supervisor Weakley, seconded by Supervisor Lackey, the Board adopted the Agenda as amended, with the following vote recorded:

J. Dave Allen	Aye
Doris G. Lackey	Aye
Jerry J. Butler	Aye
Pete J. Elliott	Aye
Jonathon Weakley	Aye

4. Joint Meeting Agenda:

Mr. Brockman explained the process for tonight's meeting forum. Information has been provided to all Commission members regarding the definition of 'seasonal use or brief

use' – a public hearing will need to be scheduled to receive input on this issue; a copy of the new bylaws has also been provided for review; an update was provided regarding the CWS and the intent to apply for a special use permit to put a 199' monopole on the Gibson property – balloon test will be on Thursday, May 23, 2013 from 8:00 a.m. to 12:00 p.m.

Cases:

- a) Case No. SU-05-13-04: Request by Henry O. or Vera K. Brenneman for a plat of a subdivision of land to create one (1) lot with residue off Route 709 (Medley Mountain Drive) near Elly, zoned A-1. The new lot (Parcel G) and the residue will be served by a fifty foot (50') right-of-way that will be extended. The final plat has been approved by the Madison Health Department and the Virginia Department of Transportation.

Dave Lewis, Surveyor, and Mr. Brenneman, applicant, were both present to answers any questions pertaining to tonight's request. Mr. Brenneman advised that a new right-of-way will not be created but part of an existing right-of-way will be discontinued on the existing state roadway.

On motion of Supervisor Elliott, seconded by Supervisor Lackey, the subdivision request is approved as recommended by the Madison County Planning Commission, with the following vote recorded:

J. Dave Allen	Aye
Doris G. Lackey	Aye
Jerry J. Butler	Aye
Pete J. Elliott	Aye
Jonathon Weakley	Aye

- b) Case No. S-05-13-05: Request by Bernice R. Becker Trustee for a plat of a subdivision of land to create one (1) lot with residue on Route 621 (Seville Road) near Shelby, zoned A-1. The final plat has been approved by the Madison Health Department and the Virginia Department of Transportation.

On motion of Supervisor Butler, seconded by Supervisor Elliott, the subdivision request is approved as recommended by the Madison County Planning Commission, with the following vote recorded:

J. Dave Allen	Aye
Doris G. Lackey	Aye
Jerry J. Butler	Aye
Pete J. Elliott	Aye
Jonathon Weakley	Aye

- c) Case No. S-05-13-06: Request by Graves Mountain Farms Realty LLLP for an indefinite special use permit for a campground to be known as Graves Mountain Campground on 7.91 acres of the 878.640 acre tract of land. This property is located at 3822 Old Blue Ridge Turnpike (Off Route 670) near Syria, zoned C-1. A letter of approval was received from Anthony Hurlock of the Virginia Department of Transportation on September 9, 2012.

Lynn Graves and Lee Baines were present, along with Mr. & Mrs. Graves. A presentation was provided regarding thirty (30) proposed campsites.

Dwayne Dixon, Sanitarian of the Madison Health Department, was present and indicated it was recommended by the soil scientist that a pump & haul permit be issued by the governing body; this process would require the governing body to enter into a contract with the Department of Health – the County would allow a certain number of gallons to be pumped per day and would be financially responsible to oversee the process; it was also noted that a ‘temporary’ pump & haul process can transpire for up to twelve (12) months.

The County Attorney questioned whether there are provisions that don’t require County involvement, as he strongly suggested the County not be placed in the middle of tonight’s proposed request.

Mr. Dixon advised he was unaware of anyone within the County performing pump & haul activities; however, a he also indicated that a dump station isn’t necessary for a primitive campground.

Bill Campbell was present to voice his concerns regarding tonight’s request by the applicant for a primitive campground.

After discussion, the Commission motioned and seconded that Case No. S-05-13-06 be presented to the Madison County Board of Supervisors for approval.

Concerns were verbalized by the Board that approval would be needed from the Virginia Department of Transportation, to which the County Attorney is generally the process when cases are presented for review and action.

Ms. Grayson advised the request will generally be covered under the letter submitted by Mr. Dixon for the site plan application, to which Mr. Dixon advised could be applied.

The County Attorney raised a concerns regarding whether a condition be included that a specific number of campsites be allowed (i.e. the applicant is

requesting thirty [30] campsites); he also advised that a 'primitive campground' is not a concept in the County's Zoning Ordinance, which is actually a categorical definition for the Madison Health Department.

Mr. Dixon explained the difference between a 'primitive campground' and a 'regular campground' is in the type of facilities that are provided and site acreage is denoted in State regulations (i.e. twenty-five [25] per acre).

It was noted by members of the Board that the Madison Health Department will determine the number of campers that can be onsite based on the type of facilities in place; therefore, it was suggested that an 'amount' not be attached to the campsites.

On motion of Supervisor Butler, seconded by Supervisor Weakley, the indefinite special use permit was approved as recommended by the Madison County Planning Commission, with the following vote recorded:

J. Dave Allen	Aye
Doris G. Lackey	Aye
Jerry J. Butler	Aye
Pete J. Elliott	Aye
Jonathon Weakley	Aye

- d) Case No. SP-05-13-07: Request by Graves Mountain Farms Realty LLLP for a site plan for the layout and construction of Graves Mountain Campground and the construction of an office/bathhouse, forty feet by eighty feet (40' x 80'). (Pending the above request for an indefinite special use permit). Approval was received on April 30, 2013 from Anthony Hurlock of the Virginia Department of Transportation. A letter was also received on May 1, 2013 from Dwayne Dixon, Sanitarian of the Madison Health Department.

Lynn Graves was present to answer any questions pertaining to tonight's request.

Dwayne Dixon, Sanitarian, advised vault privies and/or pit privies will be needed along with potable water – approval must also be attained from the Office of Drinking Water. Although he anticipates hearing something from the Richmond Office within the coming week, he had concerns as to what would be required of the applicant in the today's request is approved with the condition that the pump & haul process be included and it's determined not to be necessary.

The County Attorney strongly suggested if the Madison County Health Department feels the applicant be required to have sewage pump & haul

services, Commission should possibly assess whether an alternative option can be attained, as provided in documentation presented by Mr. Dixon (i.e. Option #2 for a 'primitive' campground arrangement in Phase I and the abandonment of the request until the initiation of Phase II.

The County Attorney also explained the criteria for a 'primitive' campground is recommended for the site plan and not the special use permit, as he feels the campground designation in Phase II will move to a full-fledged campground site.

It was clarified that if tonight's case is approved with Option #2 and notification received from the Richmond Office indicates something otherwise, the applicant will have to follow the conditions that may be imposed by the Madison Health.

Although it was questioned whether the case should be tabled, it was mentioned that the Madison Health Department should have an answer for the applicant within the next thirty (30) days; therefore, it was suggested the applicant not be asked to do something that may not be necessary.

Mr. Dixon advised the requirements being discussed come from the Virginia code and will allow vault privies (similar to what's located at the parking lot at Old Rag Mountain), or pit privies (old time toilets); potable water will also be required, along with approval by the Office of Drinking Water.

Bill Campbell commented that the County's Zoning Ordinance doesn't list a primitive campground as a use.

Concerns were brought forth about soil and erosion issues.

Ms. Grayson advised that as per a discussion with Brian Daniel, Erosion & Sedimentation Technician, the erosion plan hasn't received final approval; however, the Erosion & Sedimentation Ordinance (for Madison County) allows Mr. Daniel to administratively approve the request in the C-1 zone pending final approval from Richard Jacobs of the Culpeper Soil & Water Conservation District; she feels there will be a full plan in place when the applicant moves forward with Phase II (a site plan is good for five [5] years).

On motion of Supervisor Lackey, seconded by Supervisor Weakley, the site plan permit is approved as recommended by the Madison County Planning Commission, with approval of Option #2 as denoted in a letter from Mr. Dixon of the Madison Health Department dated May 1, 2013, for a primitive campground, subject to the approval of the Virginia Department of Health, with the following vote recorded:

J. Dave Allen	Aye
Doris G. Lackey	Aye
Jerry J. Butler	Aye
Pete J. Elliott	Aye
Jonathon Weakley	Aye

5. Board Discussion/Action Items (if any)

None.

6. Information & Correspondence (if any)

Chairman Allen advised the Board will need to determine when to hold a public hearing with the Madison County Planning Commission on the Ordinance pertaining to the definition of “use – seasonal or brief.”

After discussion, the joint public hearing was scheduled for Wednesday, June 5, 2013; the Board will also need to move the June Regular Meeting from Tuesday, June 11, 2013 due to there being a June Primary Election on that day – action will be taken on this issue at the May Regular Meeting next week.

Chairman Allen advised the Board will need to enter into a closed section.

7. Closed Session

a. Closed Session

On motion of Supervisor Butler, seconded by Supervisor Weakley, the Board moved to convene in a closed session, pursuant to Virginia Code Section 2.2-3711(A)(1), pertaining to personnel matters, specifically the Madison County Sheriff’s Office, with the following vote recorded:

J. Dave Allen	Aye
Doris G. Lackey	Aye
Jerry J. Butler	Aye
Pete J. Elliott	Aye
Jonathon Weakley	Aye

b. Motion to Reconvene In Open Session

On motion of Supervisor Butler, seconded by Supervisor Lackey, the Board reconvened in open session, with the following vote recorded:

J. Dave Allen	Aye
Doris G. Lackey	Aye

Jerry J. Butler	Aye
Pete J. Elliott	Aye
Jonathon Weakley	Aye

c. Motion to Certify Compliance

On motion of Supervisor Butler, seconded by Supervisor Weakley, the Board certified by roll-call vote that only matters lawfully exempted from open meeting requirements pursuant to Virginia Code Section 2.2-3711 (A)(1), and only matters that were identified in the motion to convene in a closed session were heard, discussed or considered in the closed meeting, with the following vote recorded:

J. Dave Allen	Aye
Doris G. Lackey	Aye
Jerry J. Butler	Aye
Pete J. Elliott	Aye
Jonathon Weakley	Aye

No action was taken as a result of closed session

8. Adjournment

With no further action being required by the Board, on motion of Supervisor Lackey, seconded by Supervisor Weakley, Chairman Allen adjourned the meeting, with the following vote recorded:

J. Dave Allen	Aye
Doris G. Lackey	Aye
Jerry J. Butler	Aye
Pete J. Elliott	Aye
Jonathon Weakley	Aye

J. Dave Allen, Chairman
Madison County Board of Supervisors

Jacqueline S. Frye, Clerk of the Board

Adopted on: June 10, 2013

Copies: J. Dave Allen, Doris G. Lackey, Jerry J. Butler, Pete J. Elliott, Jonathon Weakley,
V. R. Shackelford, III & Constitutional Officers
